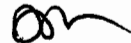


FILED
US DISTRICT COURT
DISTRICT OF ALASKA

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2005 DEC 14 PM 3:43



IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

CITICAPITAL COMMERCIAL CORP,)

Plaintiff,)

v.)

EGEGIK SPIRIT, official number)
299957, her equipment, gear, furniture,)
apparel, fixtures, tackle, boats, machinery)
anchors and all appurtenances, *in rem, et al.*,)

Defendants.)

IN ADMIRALTY
No. A-04-0147 CV (RRB)

MOTION FOR EXTENSION OF TIME

Plaintiff moves for an order providing that Plaintiff may have until December 23 to file its replies to Defendants' amended opposition to Plaintiff's motions for summary judgment.

This motion is supported by the accompanying memorandum.

DATED this 14th day of December, 2005, at Anchorage, Alaska.

MARK C. MANNING, P.C.
Counsel for Plaintiff

By:


Mark C. Manning

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This motion and related papers
have been served by ~~mail~~ hand/ fax on
12/14/05 on

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CITICAPITAL COMMERCIAL CORP,)
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anchors and all appurtenances, *in rem, et al.*,)
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Defendants.)

IN ADMIRALTY
No. A-04-0147 CV (RRB)

MEMORANDUM SUPPORTING MOTION FOR EXTENSION OF TIME

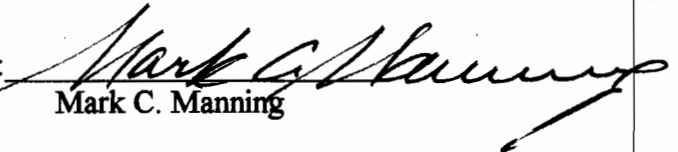
Plaintiff CitiCapital previously moved for an order providing that Plaintiff may have until December 14 to file its reply to Defendants' supplemental opposition to CitiCapital's motions for summary judgment. Plaintiff now moves to extend the deadline further to December 23. The reason this additional time is needed is that Defendants' briefing has raised a plethora of factual issues that can be proven unfounded only by meticulous and thorough development of the record concerning the promissory note at issue, and the parties negotiations after the arrests of the defendant vessels. This effort includes development of an additional declaration from Texas witness Joseph Pitch. This project has proved inordinately time-consuming.

A portion of the requested additional time is to provide for an opportunity for CitiCapital's Texas in-house counsel to review the reply before filing. This seems especially warranted in light of Defendants' new and false allegation that trial counsel made an offer in summer 2004 to modify the promissory note at issue.

For the foregoing reasons the court is respectfully requested to grant the additional time.

DATED this 14th day of December, 2005, at Anchorage, Alaska.

MARK C. MANNING, P.C.
Counsel for Plaintiff

By: 
Mark C. Manning